

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

8:18-CR-8

vs.

HENRY TREVILLION,

ORDER

Defendant.

This matter is before the Court on the defendant's motion ([filing 35](#)) to extend the time for filing his notice of appeal. The Court will grant that motion.

The defendant's motion sets forth circumstances showing good cause—or, at least, excusable neglect—explaining his failure to timely appeal. *See Fed. R. App. P. 4(b)(4); Treasurer, Trustees of Drury Indus., Inc. Health Care Plan & Tr. v. Goding*, 692 F.3d 888, 892-93 (8th Cir. 2012); *Weekley v. Jones*, 927 F.2d 382, 386 (8th Cir. 1991). And his notice of appeal ([filing 36](#)) was mailed from the defendant's correctional institution on August 15, 2018—within 30 days of the 14-day deadline for appeal that followed the July 2, 2018 entry of judgment ([filing 32](#)). *See* Rule 4(b)(4) & (c)(1).

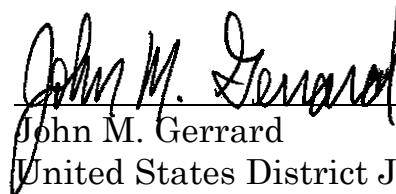
IT IS ORDERED:

1. The defendant's motion ([filing 35](#)) to extend the time for filing his notice of appeal is granted.
2. The defendant's notice of appeal ([filing 36](#)) is timely filed.

3. The defendant may proceed on appeal *in forma pauperis* pursuant to Fed. R. App. P. 24(a)(3).

Dated this 6th day of September, 2018.

BY THE COURT:



John M. Gerrard

United States District Judge